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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,291	01/10/2002	Timothy G. Nye	3014.1005-001	6857

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EXAMINER

TODD, GREGORY G

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/044,291	<b>Applicant(s)</b> NYE, TIMOTHY G.	
	<b>Examiner</b> Gregory G. Todd	<b>Art Unit</b> 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>06/13/02</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This is a second office action in response to applicant's election filed, 11 April 2005, of application filed, with the above serial number, on 10 January 2002 in which claims 1-10 of Group I have been elected for examination and claims 11-21 have been non-elected. Claims 1-10 are therefore pending in the application. \

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 recites the limitation "the computer network" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation " the indexable electronic documents " in line 6. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2 and 7-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Emens et al (hereinafter "Emens", 6,434,548).

As per Claim 1, Ellis teaches a method for creating an attribute bounded network of computers comprising the steps of:

creating, on a server computer, a list of attribute bounded electronic addresses representing the indexable electronic documents on the computer network (at least col. 4, lines 26-36; URL pages from web crawlers);

assigning an electronic address from the attribute bounded list based upon an attribute bounded request from a requesting computer by matching at least one of the electronic addresses in the attribute bounded list to at least one attribute from the attribute bounded request (at least col. 4, lines 26-36; col. 5, lines 12-28; results page given to user based on request);

distributing an assigned electronic address to the requesting computer (at least col. 4, lines 26-36; col. 5, lines 12-28; results page given to user based on request); and

processing, on the requesting computer, the distributed electronic address to create a processed result based upon the distributed electronic address (at least col. 4, lines 37-56; col. 5, lines 12-28; summarizing data and service results manager with light weight application).

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As per Claim 2. The method of claim 1 further comprising: transmitting the processed result to the server computer (at least col. 5, lines 12-28; forwarding to crawler for final processing).

As per Claim 7. The method of claim 1 wherein the network is the Internet and the electronic addresses are represented as Uniform Resource Locators (at least col. 4, lines 26-36; URL pages from web crawlers).

As per Claim 8. The method of claim 1 wherein the step of assigning includes overlapping the assignment of electronic addresses to multiple requesting computers (at least col. 4, lines 26-56).

As per Claim 9. The method of claim 1 wherein the matching at least one of the electronic addresses in the attribute bounded list based upon at least one attribute from the attribute bounded request determines that no electronic addresses in the attribute bounded list matches any attribute from the attribute bounded request; and assigning an electronic address from the attribute bounded list that does not match the attribute bounded request from the requesting computer (at least col. 6, lines 3-45).

As per Claim 10. The method of claim 1 wherein processing step comprises: spidering, on the requesting computer, the distributed electronic address (at least col. 4, lines 37-56).

***Claim Rejections - 35 USC § 103***

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5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens in view of Ellis (hereinafter "Ellis", 6,732,141).

Emens fails to teach the attribute being a geographically bounded region based on physical and computer addresses. However, the use and advantages for using such geographic searches is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of Ellis (at least col. 12, lines 5-34) Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Ellis' distributed geographic search processing into Emens as this would enhance Emens' system to have distributed processing performed closer to the user using less bandwidth and ultimately more efficient search processing, as Emens and Ellis teach the purpose of such distributed search processing being for more up-to-date search results.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Malone et al, Dunworth et al, Carrasco et al, Lee et al, Jindal, and Logan are cited for disclosing pertinent information related to the claimed invention.

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Applicants are requested to consider the prior art reference for relevant teachings when responding to this office action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory G. Todd whose telephone number is (571)272-4011. The examiner can normally be reached on Monday - Friday 9:00am-6:00pm w/ first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

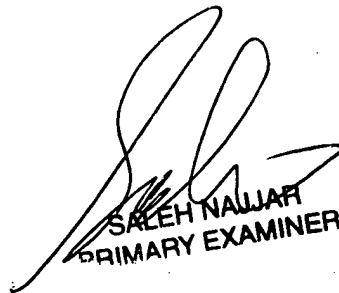
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory Todd



Patent Examiner

Technology Center 2100



SALEH NALLARI  
PRIMARY EXAMINER